

2009 JAN -7 PM 3:28

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
W. Michael Bissonnette

Art Unit: 3643

Application No: 10/528,110

Examiner: Andrea M. Valenti

Confirmation No: 9031

Atty. Docket No: 80311-256846

Filed: July 15, 2005

Customer No:

For: DEVICES AND METHODS FOR  
GROWING PLANTS

26694

PATENT TRADEMARK OFFICE

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: Mail Stop Refunds**

Dear Madam:

At the time of filing the Response to the Office Action dated January 16, 2008 in the above-referenced application on June 16, 2008, large-entity fees of \$460.00 (two month extension of time) were paid. Payment of the large-entity fees was in error because Applicant and Assignee were entitled to small-entity status. Applicant, therefore, respectfully requests a refund in the amount of \$230.00, representing the amount of the overpayment. Copies of the original Application Data Sheet and Official Filing Receipt indicating Small-Entity status are attached. A statement for the Deposit Account No. 22-0261 indicating that \$460.00 was charged thereto on June 17, 2008 is also enclosed.

Application No.: 10/528,110

Docket No.: 80311-256846

Please refund the difference in the government fees (in the amount of \$230.00) between a small entity and a large entity by crediting the refunded amount to our Deposit Account No. 22-0261, and notify the undersigned accordingly.

Dated: 1/7/2009  
#315845

Respectfully submitted,

By Steven J. Schwarz  
Steven J. Schwarz.


Registration No.: 47,070  
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Washington, DC 20043-9998  
(202) 344-4000  
(202) 344-8300 (Fax)  
Attorney/Agent For Applicant

06/16 45	28300893	31848-260033	1112	\$100.00	\$76,411.06
06/16 46	28300893	31848-260033	1312	\$130.00	\$78,281.06
06/16 15856	78822406	87278-249864	7004	\$160.00	\$78,131.06
06/16 32	8846885		1551	\$930.00	\$75,201.06
06/16 54	PAYMENT		9203	-\$31,265.00	\$108,466.06
06/17 714	10277090	32307184584	8021	\$40.00	\$106,426.06
06/17 997	10118157	08435.0001	1806	\$180.00	\$106,246.06
06/17 3562	76611766	31219-207620	7004	\$300.00	\$105,946.06
06/17 3609	10948785	37112-207984	2202	\$75.00	\$105,871.06
06/17 3610	10948785	37112-207984	2251	\$60.00	\$105,811.06
06/17 3728	77500043	13683-280752	7001	\$650.00	\$105,161.06
06/17 4043	12140003	81029-260125	4011	\$75.00	\$105,086.06
06/17 4048	12140003	81029-260125	2201	\$105.00	\$104,981.06
06/17 4046	12140003	81029-260125	2111	\$255.00	\$104,726.06
06/17 4047	12140003	81029-260125	2311	\$105.00	\$104,621.06
06/17 5304	11204522	32308-232465 (1080 US1)	1251	\$120.00	\$104,501.06
06/17 6446	81081960	99389-260663	2005	\$105.00	\$104,396.06
06/17 33	12088922	35947-255908	1251	\$120.00	\$104,276.06
06/17 8	10581912	31229-226445	1252	\$460.00	\$103,816.06
06/17 7	10569755	58086227518	2251	\$80.00	\$103,736.06
06/17 8	10528110	80311-256486	1252	\$460.00	\$103,296.06
06/17 35	61129277	37099-258110	2006	\$105.00	\$103,191.06
06/17 41	11112269	04-06D	1253	\$1,050.00	\$102,141.06
06/17 43	11112269	04-06D	1201	\$210.00	\$101,931.06
06/17 42	11112269	04-06D	1801	\$810.00	\$101,121.06
06/17 44	11112269	04-06D	1202	\$450.00	\$100,671.06
06/17 9383	60936945	43315-250805	8007	\$20.00	\$100,651.06
06/17 9490	US0709974	32308-244258	8021	\$40.00	\$100,611.06
06/17 118	12213182	41890-260674	2011	\$155.00	\$100,456.06
06/17 119	12213182	41890-260674	2111	\$255.00	\$100,201.06
06/17 120	12213182	41890-260674	2311	\$105.00	\$100,096.06
06/17 10291	1818146	41482-223393	6521	\$40.00	\$100,056.06
06/17 10559	1818146	41482-223393	8521	\$40.00	\$100,016.06
06/17 10879	1818146	41482-223393	8521	\$40.00	\$99,976.06
06/17 11869	10941068	31916-207771	1256	\$2,230.00	\$97,746.06
06/17 11672	10941068	31916-207771	1801	\$810.00	\$96,936.06
06/17 159	12213180	43289-260137	1011	\$310.00	\$96,626.06
06/17 160	12213180	43289-260137	1111	\$510.00	\$96,116.06
06/17 161	12213180	43289-260137	1311	\$210.00	\$95,906.06
06/17 162	12213181	69993-260405	1011	\$310.00	\$95,596.06
06/17 164	12213181	69993-260405	1311	\$210.00	\$95,386.06
06/17 163	12213181	69993-260405	1111	\$510.00	\$94,876.06
06/17 11885	77093530	37114-240570	8521	\$40.00	\$94,836.06
06/17 11938	77175592	37114-240570	8521	\$40.00	\$94,796.06
06/17 11939	77175592	37114-240570	8522	\$25.00	\$94,771.06
06/17 12117	10277090	32307184584	8021	\$40.00	\$94,731.06
06/17 209	12076767	32128-257681	1011	\$310.00	\$94,421.06
06/17 210	12076767	32128-257681	1111	\$510.00	\$93,911.06
06/17 211	12076767	32128-257681	1311	\$210.00	\$93,701.06
06/17 212	12076767	32128-257681	1051	\$130.00	\$93,571.06
06/17 213	12076767	32128-257681	1053	\$130.00	\$93,441.06
06/18 288	US0712057	32308-237415	8021	\$40.00	\$93,401.06
06/18 1	10594845	29953-232048	1642	-\$400.00	\$93,801.06
06/18 2	10594845	29953-232048	1641	\$100.00	\$93,701.06



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PTO/SB/22 (01-08)  
Approved for use through 01/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2008</b> (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		<b>Docket Number (Optional)</b> 80311-256846	
<b>Application Number</b> 10/528,110		<b>Filed</b> July 15, 2005	
<b>For</b> DEVICES AND METHODS FOR GROWING PLANTS			
<b>Art Unit</b> 3643		<b>Examiner</b> Andrea M. Valenti	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
		<u>Fee</u>	<u>Small Entity Fee</u>
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$120	\$60
<input checked="" type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$460	\$230
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1050	\$525
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1640	\$820
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2230	\$1115
<input type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/>	A check in the amount of the fee is enclosed.		
<input type="checkbox"/>	Payment by credit card. Form PTO-2038 is attached.		
<input checked="" type="checkbox"/>	The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input checked="" type="checkbox"/>	The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 22-0261. I have enclosed a duplicate copy of this sheet.		
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the	<input type="checkbox"/>	applicant/inventor.	
	<input type="checkbox"/>	assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).	
	<input checked="" type="checkbox"/>	attorney or agent of record. Registration Number 47,070	
	<input type="checkbox"/>	attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34	
		<u>6/16/08</u>	
Signature		Date	
Steven J. Schwarz		(202) 344-4295	
Typed or printed name		Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/>	Total of 1 forms are submitted.		

#963374

Adjustment date: 01/09/2009 EEKUBAY1  
06/17/2008 JADD01 00000008 220261 10528110  
01 FC:1252 460.00 CR

06/17/2008 JADD01 00000008 220261 10528110  
01 FC:1252 460.00 DA

01/09/2009 EEKUBAY1 00000005 220261 10528110  
01 FC:2252 230.00 DA  
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